

ORDINANCE NO. IA

AN ORDINANCE REGULATING THE COLLECTION AND DISPOSAL OF SOLID WASTE IN THE CITY OF LANESBORO; ESTABLISHING AND PROVIDING FOR THE OPERATION OF A MUNICIPAL COLLECTION SERVICE; PROVIDING FOR THE IMPOSITION AND COLLECTION OF FEES FOR COLLECTION SERVICES; PROVIDING FOR SOURCE SEPARATION OF RECYCLABLE MATERIALS; PROHIBITING UNAUTHORIZED COLLECTION; AND PROVIDING PENALTIES FOR VIOLATION.

THE COUNCIL OF THE CITY OF LANESBORO HEREBY ORDAINS:

SECTION 1. Establishment of Municipal Collection Service.

There is hereby created and established a Municipal Collection Service. The Municipal Collection Service is the solid waste hauler in the City of Lanesboro. No person, firm or corporation, or agent or employee thereof, shall collect or remove solid waste or recyclable materials from or within the Lanesboro city limits, except persons employed or authorized by the Lanesboro City Council.

SECTION 2. Incorporation of Fillmore County Source Separation Ordinance.

The successful implementation, of this Ordinance, depends upon maintaining compatibility with the Fillmore County Source Separation Ordinance. Therefore, the Fillmore County Source Separation Ordinance, a copy of which is annexed hereto, is incorporated herein by reference, including but not limited to the definitions stated therein.

SECTION 3. Solid Waste Collection.

The City Council, through the City Collection Service hereinabove established, shall provide for the collection of solid waste, according to the following schedule:

- (a) Residential Collection. Collection of residential solid waste, other than bulky refuse, recyclable material, and yard waste, shall occur every Friday. Customers shall have such solid waste curbside, or at such other customary collection point,

no later than 8:00 A.M. on said days.

- (b) Commercial Property Collection. Collection of solid waste from commercial properties shall occur on Monday, Wednesday and Friday of each week. The frequency of pickup, as to each particular property, shall be by arrangement with the City Clerk's office. All commercial solid waste shall be contained in proper dumpsters.
- (c) Bulky Refuse. Refuse that is large or bulky, such as water heaters, couches, etc., may be hauled by the City of Lanesboro, in its discretion, by prior arrangement only. The City may require the fees, for said hauling, pursuant to Section 5(c) hereunder, to be paid in advance.
- (d) Recyclables and Yard Waste. Collection of recyclables and yard waste, from all customers, shall occur on the first and third Tuesdays of each month. All recyclables and yard waste shall be properly contained or bundled, and be at curbside, or at such other customary collection point, no later than 8:00 A.M. on such days.

This collection schedule may be changed, from time to time, by public announcement, in the discretion of the City, without changing or amending this Ordinance.

SECTION 4. Containers.

All solid waste must be presented, for collection by the City, in proper bags or re-usable containers. Recyclable materials must be packaged so as to be acceptable to the Fillmore County disposal facility.

SECTION 5. Rates.

- (a) Residential Fees. For each residence in the City of Lanesboro, the fee for collection service shall be \$7.00 per month. This charge shall be placed on the resident's or household's monthly utility billing.

- (b) Commercial Fees. Commercial customers shall be billed at the rate of \$20.00 per month for up to two (2) waste pickups per week, and \$30.00 per month for three (3) waste pickups per week. These billings shall be included on the customer's monthly utility billing.
- (c) Bulky Refuse. The cost for transporting such refuse, as defined in Section 3(c) above, shall be determined in advance to the hauling, according to the size, type and weight of the item to be hauled.
- (d) Recyclables and Yard Waste. Recyclable materials, as long as such are properly prepared and packaged, shall be collected and transported without charge to the customer.

Rates and charges for the Municipal Collection Service shall be set by City Council resolution from time to time, according to the discretion of that council. Notice of rate changes shall be published in a legal newspaper one (1) time, at least ten (10) days prior to the effective date of any change in rates. No amendment to this Ordinance is necessary to effectuate said rate changes.

SECTION 6. Billings.

All charges for the Municipal Collection Service shall be added to the monthly utility billing of the customer, and becomes due and payable therewith. If the customer does not receive City utility services, the collection service shall be billed separately. Although the customer is considered to be the party primarily responsible for payment, the service is considered to benefit the property occupied by the customer. Therefore, in the event of non-payment by the customer, unpaid charges shall be assessed against the property served, in accordance with Section 7 hereunder.

Each and every household in the City shall be billed for the Municipal Collection Service at the residential rate. Each and every commercial

establishment shall be billed for the Municipal Collection Service, in accordance with the frequency of collections provided.

SECTION 7. Assessments.

On or before August 1st of each year, the City Clerk shall provide, by resolution to the City Council, a list of unpaid user fees for each dwelling or business unit, and each separate lot or parcel of real estate to which charges are attributable under this ordinance. The City Council shall then spread the unpaid user fees against the benefited property as a special assessment pursuant to Minnesota law. The City Clerk shall, prior to September 1st of each year, certify the list of unpaid user fees to the County Auditor for collection along with the current taxes in the following year, in a single installment. The assessment for each unpaid user fee shall include a penalty of ten percent (10%) of the amount thereof and the total shall bear interest at a rate not exceeding the amount set by law.

SECTION 8. Mandatory Separation of Recyclables.

All customers must separate and package their recyclable materials, and yard waste, from their other solid waste. Those customers who fail to do so will be fined \$ 10.00, and, in addition, shall be subject to automatic termination of the collection service as to them.

SECTION 9. Solid Waste Collection Fund.

All service charges shall be deposited in a separate fund designated as the "Solid Waste Collection Fund". All the expenses of providing the solid waste collection shall be paid from the Solid Waste Collection Fund. All monies received by the City, if any, for recyclables shall be also paid into that fund. If the amount in the fund is insufficient to pay collection expenses, such amount as may be necessary to meet such expenses shall be transferred to the fund from the general fund.

SECTION 10. Exclusive Collection.

The City Collection Service shall be the only authorized collection service within the City of Lanesboro. No other person or entity shall make a business or collect a fee for collecting of refuse within the City of Lanesboro.

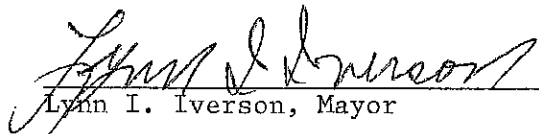
SECTION 11. Savings Clause.

Invalidity of any section, sub-section, sentence, clause, definition, phrase or portion of this ordinance shall not invalidate any remaining portion hereof.

SECTION 12. Effective Date and Termination.

This ordinance shall be effective commencing October 1, 1987.

Adopted this 27 day of July, 1987, by the
Lanesboro City Council.


Lynn I. Iverson, Mayor

(SEAL)

ATTESTED BY:


Orrin L. Olson
City Clerk/Administrator